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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/642,992

08/18/2003

John C. Mese

PRS920030091US1

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7590

12/15/2006

IBM CORPORATION

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EXAMINER

JOHNSON, CARLTON

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/642,992	MESE ET AL.	
	Examiner	Art Unit	
	Carlton Johnson	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8-18-2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responding to application papers filed **8-18-2003**.
2. Claims **1 - 18** are pending. Claims **1, 10** are independent.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims **1 - 18** are rejected under 35 U.S.C. 102(e) as being anticipated by **Fancher et al. (US PG PUB No. 6,559,883)**.

Regarding Claim 1, Fancher discloses a method for preventing unauthorized copying of a film using a recording device, the film being played using a projector, at least one image from the film being displayed on a screen, the projector residing on a first side of the screen, the method comprising the steps of: providing at least one signal to the screen from a second side of the screen, the second side being opposite to the first side (see Fancher Figure 1A (elements 110, 140): signal from a first and a second side of screen), the at least one signal being visible to a recording device used in copying the

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film, the at least one signal being sufficient to wash out at least a portion of the image to the recording device. (see Fancher col. 5, line 66 - col. 6, line 6: one signal visible image on screen (i.e. visible to a recording device), second signal to prevent unauthorized copying; col. 7, lines 16-19: image obscured (i.e. wash out) to recording device; col. 2, lines 52-59; col. 6, lines 34-36: two signals from a first and second side of screen, projected onto screen)

Regarding Claim 2, Fancher discloses the method of claim 1 wherein the at least one signal further includes a light signal. (see Fancher col. 4, lines 34-36: a light signal, image display)

Regarding Claim 3, Fancher discloses the method of claim 1 wherein the at least one signal includes infrared light. (see Fancher col. 4, lines 36-39: signal includes an infrared light)

Regarding Claim 4, Fancher discloses the method of claim 1 wherein the providing step further includes the step of: providing the at least one signal at an intensity and breadth sufficient to wash out the entire image to the recording device. (see Fancher col. 7, lines 16-19; col. 8, lines 35-39: one signal (i.e. infrared) strong enough to disrupt (i.e. wash out) image signal and prevent recording)

Regarding Claim 5, Fancher discloses the method of claim 1 wherein the providing

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step further includes the step of: providing the at least one signal at an intensity sufficient to render the screen transparent to the recording device. (see Fancher col. 5, lines 54-59: recording device cannot record image (i.e. screen is rendered transparent))

Regarding Claim 6, Fancher discloses the method of claim 1 wherein the providing step further includes the step of: projecting the at least one signal to the screen from the second side of the screen. (see Fancher Figure 1A; col. 8, lines 3-6: two signals, one signal from second side of screen)

Regarding Claim 7, Fancher discloses the method of claim 1 wherein the recording device includes an image capture device. (see Fancher col. 8, lines 35-39: recording device (i.e. image capture, camera))

Regarding Claim 8, Fancher discloses the method of claim 7 wherein the image capture device includes a video camera. (see Fancher col. 7, lines 16-19; col. 8, lines 35-39: image capture (i.e. recording device, camera))

Regarding Claim 9, Fancher discloses the method of claim 1 wherein the signal is invisible to the human eye. (see Fancher col. 4, lines 60-62: signal (i.e. interference signal, IR signal) is not visible to human eye)

Regarding Claim 10, Fancher discloses a system for preventing unauthorized copying

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of a film using a recording device, the film being played using a projector, at least one image from the film being displayed on a screen, the projector residing on a first side of the screen, the method comprising the steps of: at least one source residing on a second side of the screen, the second side of the screen being opposite to the first side (see Fancher Figure 1A (elements 110, 140): signal from a first and a second side of screen), the at least one source providing to the screen at least one signal invisible to the human eye but visible to a recording device used in copying the film (see Fancher col. 6, lines 34-36; col. 8, lines 3-6: signal from a first and a second side of screen, projected onto screen), the at least one signal being sufficient to wash out at least a portion of the image to the recording device. (see Fancher col. 5, line 66 - col. 6, line 6: one signal, visible image on screen (i.e. visible to a recording device), second signal to prevent unauthorized copying; col. 4, lines 60-62: second signal not visible to human eye)

Regarding Claim 11, Fancher discloses the system of claim 10 wherein the at least one source is at least one light source and wherein the at least one signal further includes at least one light signal. (see Fancher col. 4, lines 34-36: a light signal, image display)

Regarding Claim 12, Fancher discloses the system of claim 10 wherein the at least one signal includes infrared light. (see Fancher col. 4, lines 36-39: signal includes an infrared light)

Regarding Claim 13, Fancher discloses the system of claim 10 wherein the at least one source provides the at least one signal at an intensity and breadth sufficient to wash out the entire image to the recording device. (see Fancher col. 7, lines 16-19; col. 8, lines 35-39: one signal (i.e. infrared) strong enough to disrupt (i.e. wash out) image signal and prevent recording)

Regarding Claim 14, Fancher discloses the system of claim 10 wherein the at least one source further provides the at least one signal at an intensity sufficient to render the screen transparent to the recording device. (see Fancher col. 5, lines 54-59: recording device cannot record image (i.e. screen is rendered transparent))

Regarding Claim 15, Fancher discloses the system of claim 10 wherein the at least one source further projects the at least one signal to the screen from the second side of the screen. (see Fancher col. 8, lines 3-6: two signals, one signal from second side of screen)

Regarding Claim 16, Fancher discloses the system of claim 10 wherein the recording device includes an image capture device. (see Fancher col. 7, lines 16-19: recording device (i.e. image capture, camera))

Regarding Claim 17, Fancher discloses the system of claim 16 wherein the image

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capture device includes a video camera. (see Fancher col. 7, lines 16-19; col. 8, lines 35-39: image capture (i.e. recording device, camera))

Regarding Claim 18, Fancher discloses the system of claim 10 wherein the signal is invisible to the human eye. (see Fancher col. 4, lines 60-62: signal (i.e. interference signal, IR signal) is not visible to human eye)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlton Johnson whose telephone number is 571-270-1032. The examiner can normally be reached Monday through Friday from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nassar Moazzami, can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.J.

Carlton Johnson
December 8, 2006

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SUPERVISORY PATENT EXAMINER
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Nasser Moazzami
12/11/06